

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
v.	)	<b>CR. NO. 2:07cr66-MHT</b>
	)	
<b>AMBER DESIREE FREDERICK</b>	)	

**UNITED STATES' MOTION FOR DOWNWARD DEPARTURE**  
**PURSUANT TO U.S.S.G. § 5K1.1 AND 18 U.S.C. § 3553(e)**

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Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and respectfully requests this Honorable Court to grant the United States' Motion for Downward Departure from a range of 70 to 87 months, and reduce the range by four levels to a range of 46 months to 57 months, and sentence Defendant Amber Desiree Frederick to 46 months imprisonment on count one based upon her substantial assistance, and as grounds for this motion, the United States submits the following:

1. On April 4, 2007, a grand jury sitting in the Middle District of Alabama returned a one count indictment against Defendant Amber Desiree Frederick charging her with possession with intent to distribute 50 grams or more of cocaine base. Frederick entered a guilty plea to the charge, pursuant to a plea agreement, to cooperate with the government in its continued investigation of other persons charged and uncharged.
2. The plea agreement included a cooperation agreement wherein Defendant Frederick agreed to testify against her co-defendant, Bobby Stokes, Jr. The defendant has already provided substantial assistance to the case agent regarding her own involvement in the charged offense and she had provided information regarding other

persons in the drug community. Although there is an ongoing investigation, the information provided to federal agents has been substantial in furthering the investigation. According to the case agent, the information Defendant Frederick has provided against other offenders has been verified as correct information. Further, Defendant Fredrick has agreed to testify against other offenders after indictment, if needed. The government requests that details of additional information by Defendant Frederick not be made part of the public record in this case. Pursuant to U.S.S.G. § 5K1.1 and 18 U.S.C. § 3553(e), the United States files this motion for a downward departure to reduce Defendant Frederick's sentence on count one from a range of 70 to 87 months to a range of 46 to 57 months based upon her substantial assistance, and sentence Defendant Frederick to 46 months imprisonment.

3. The government's motion for downward departure is based upon the government's belief that Defendant Frederick does qualify for the safety valve treatment pursuant to U.S.S.G. §5G1.2.

WHEREFORE, the United States respectfully requests that this Motion for Downward Departure be GRANTED, and sentence Defendant Frederick to 46 months imprisonment on count one.

Respectfully submitted this 10th day of August 2007.

LEURA G. CANARY  
UNITED STATES ATTORNEY

s/Tommie Brown Hardwick  
TOMMIE BROWN HARDWICK  
One Court Square, Suite 201  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7135  
E-mail: [tommie.hardwick@usdoj.gov](mailto:tommie.hardwick@usdoj.gov)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 10, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

Paul Roy Cooper, Esquire.

Respectfully submitted,

s/Tommie Brown Hardwick  
TOMMIE BROWN HARDWICK  
One Court Square, Suite 201  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7135  
E-mail: [tommie.hardwick@usdoj.gov](mailto:tommie.hardwick@usdoj.gov)  
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